

## *Guidelines for* **Uses of land in the MALPF Program in addition to normal agricultural and silvicultural uses**

*The Maryland Annotated Code provides for agricultural and silvicultural uses of land in the MALPF program. It also states that “A landowner whose land is subject to an [MALPF] easement may not use the land for any commercial, industrial, or residential purpose except...As determined by the [MALPF] [F]oundation, for farm and forest-related uses and home occupations.” The following guidelines apply to those excepted (additional) uses.*

*All additional uses of land in the MALPF program are subject to 1) county zoning regulations, 2) conditions listed in MALPF regulations, 3) conditions listed here, and 4) must have ownership interest. Other uses or variations of the following examples may be allowed and can be pursued by the landowner at the county level for possible consideration at the state level.*

*All additional use requests require approval by the county agricultural program administrator and by MALPF staff while some, as noted in the chart below, also require the approval of the MALPF Board of Trustees. The landowner must submit a letter detailing his/her proposed additional use to the county agricultural land preservation program administrator and, if approved by the county, to MALPF. The administrator may refer the additional use request to the county agricultural advisory board. “County ag. approval” in the chart below means approval by either the county program administrator or both the county program administrator and the county agricultural advisory board. Upon review and action, MALPF will send a letter to the landowner detailing the approved proposed additional use or the reason for denying the request. In agreement, the landowner will sign the letter and return it to MALPF for permanent placement in his/her file.*

<b>Land Use</b>	<b>Conditions</b>	<b>County ag. approval</b>	<b>MALPF staff approval</b>	<b>MALPF Board approval</b>
<b>A. Farm- and forest-related</b>	<i>All additional uses are subject to county zoning regulations, conditions listed in MALPF regulations, conditions listed here, and ownership interest.</i>			
1. Agro-tourism, educational tours/programs, etc., e.g., corn mazes	Must not interfere with other agricultural or silvicultural operations. Must not limit future agricultural or silvicultural production. Parking area is limited to 2% (two percent) of the easement/district, or two acres, whichever is smaller. Parking area must be pervious. Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.	X	X	

<b>Land Use (Farm- and forest- related, cont'd)</b>	<b>Conditions</b>	<b>County ag. approval</b>	<b>MALPF staff approval</b>	<b>MALPF Board approval</b>
2. Butcher shop	<p>Must not interfere with other agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Some of the meat processed must come from animals raised on site; the remainder must come from animals indigenous to Maryland.</p> <p>Facility and parking area must cover no more than 2% (two percent) of the easement/district, or two acres, whichever is smaller.</p> <p>Parking area must be pervious.</p> <p>Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.</p>	X	X	
3. Compost production	<p>Must not interfere with other agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Majority of the products involved must come from on site.</p> <p>Products from off site must be ready to process when they come onto the farm.</p> <p>Storage of tree stumps and debris from off site is not allowed.</p>	X	X	
4. Farm animal petting zoo	<p>Must not interfere with other agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Must be farm animals indigenous to the Americas.</p> <p>Must accompany agricultural education or the sale of farm products.</p> <p>Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.</p> <p>Parking area is limited to 2% (two percent) of the easement/district, or two acres, whichever is smaller.</p> <p>Parking area must be pervious.</p>	X	X	
5. Farm and forest machinery repair	<p>Must not interfere with other agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Repairs are limited to farm or forest equipment.</p> <p>Some repairs must be to machinery of the on-site operation.</p> <p>Parking area must be pervious.</p> <p>Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.</p>	X	X	
6. Fee fishing	<p>Allowed in existing ponds.</p> <p>Must not interfere with other agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Parking area is limited to 2% (two percent) of the easement/district, or two acres, whichever is smaller.</p> <p>Parking area must be pervious.</p> <p>Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.</p>	X	X	

<b>Land Use (Farm- and forest- related, cont'd)</b>	<b>Conditions</b>	<b>County ag. approval</b>	<b>MALPF staff approval</b>	<b>MALPF Board approval</b>
7. Firewood, mulch	<p>Must not interfere with other agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Majority of the products must be produced on site; the remainder must be of species indigenous to Maryland.</p> <p>Facility (or sale area) and parking area must cover no more than 2% (two percent) of the easement/district, or two acres, whichever is smaller.</p> <p>Parking area must be pervious.</p> <p>Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.</p>	X	X	
8. Landscaping business	<p>Must not interfere with other agricultural or silvicultural operations.</p> <p>Majority of the stock used in the business must be grown on site.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Parking area must be pervious.</p> <p>Vehicles and equipment stored must relate to the business.</p> <p>Distribution centers where offsite products are brought in for retail sales are not allowed.</p>	X	X	
9. Large farm animal veterinary hospital	<p>Must not interfere with other agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Footprint of the hospital (office, surgical rooms, and indoor treatment areas) must be no more than 5,000 sq. ft..</p> <p>Is limited to large farm animals.</p> <p>No retail sales are allowed other than those incidental to the services offered.</p> <p>Parking area must be pervious.</p>	X	X	X
10. Livestock auction, permanent facility	<p>Must not interfere with other agricultural or silvicultural operations.</p> <p>Can be held no more than once a month.</p> <p>Facility is limited to one acre.</p> <p>Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.</p> <p>Parking area is limited to 2% (two percent) of the easement/district, or two acres, whichever is smaller.</p> <p>Parking area must be pervious.</p>	X	X	X
11. Livestock show/auction/sale	<p>Must not interfere with other agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Can be held no more than once a month.</p> <p>Some animals involved must be raised on site; the remainder must be indigenous to Maryland.</p> <p>No new or additional permanent structures are allowed.</p> <p>Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.</p> <p>Parking area is limited to 2% (two percent) of the easement/district, or two acres, whichever is smaller.</p> <p>Parking area must be pervious.</p>	X	X	

<b>Land Use (Farm- and forest- related, cont'd)</b>	<b>Conditions</b>	<b>County ag. approval</b>	<b>MALPF staff approval</b>	<b>MALPF Board approval</b>
12. Livestock slaughtering, mobile facility	Must not interfere with other agricultural or silvicultural operations. Must not limit future agricultural or silvicultural production. Some animals slaughtered must be raised on site; the remainder must be indigenous to Maryland. Disposal of all animal remains must comply with local, state, and federal regulations. Occurrence must be infrequent. Facility can not be permanent.	X	X	
13. Livestock slaughtering, permanent facility	Must not interfere with other agricultural or silvicultural operations. Must not limit future agricultural or silvicultural production. Disposal of all animal remains must comply with local, state, and federal regulations. Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items. Parking area is limited to 2% (two percent) of the easement/district, or two acres, whichever is smaller. Parking area must be pervious.	X	X	X
14. Processed (value- added) farm and forest products	Must not interfere with other agricultural or silvicultural operations. Must not limit future agricultural or silvicultural production. Some of the products must come from animals raised or crops grown on site; the remainder from animals or crops indigenous to Maryland. Facility and parking area must cover no more than 2% (two percent) of the easement/district, or two acres, whichever is smaller. Parking area must be pervious. Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.	X	X	X
15. Saw mill, lumber kiln	Must not interfere with other agricultural or silvicultural operations. Must not limit future agricultural or silvicultural production. Some of the products handled must be produced on site; the remainder must be indigenous to Maryland. Facility and parking area must cover no more than 2% (two percent) of the easement/district, or two acres, whichever is smaller. Parking area must be pervious. Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.	X	X	

<b>B. Associated with normal agricultural or silvicultural operations</b>	<i>All additional uses are subject to county zoning regulations, conditions listed in MALPF regulations, conditions listed here, and ownership interest.</i>			<b>MALPF Board approval</b>
1. Activities related to greenhouses	Greenhouses are normal agricultural or silvicultural operations. The following conditions apply to activities related to greenhouses: Must not limit future agricultural or silvicultural production. Majority of the products must be grown on site; the remainder must be indigenous to Maryland. Parking area must cover no more than 2% (two percent) of the easement/district, or two acres, whichever is smaller. Parking area must be pervious. Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.	X	X	
2. Activities related to farm markets and road side stands	Farm markets and road side stands are normal agricultural and silvicultural operations. The following conditions apply to activities related to farm markets and road side stands: Must not interfere with other agricultural or silvicultural operations. Must not limit future agricultural or silvicultural production. Majority of the products must be grown on site; the remainder must be indigenous to Maryland. Parking area must cover no more than 2% (two percent) of the easement/district, or two acres, whichever is smaller. Parking area must be pervious. Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.	X	X	
3. Activities related to seasonal harvests such as strawberries, pumpkin patch, Christmas trees	Seasonal harvests are normal agricultural and silvicultural operations. The following conditions apply to activities related to these harvests: Must not limit future agricultural or silvicultural production. Majority of the products must be produced on site; the remainder must be indigenous to Maryland. Parking area is limited to 2% (two percent) of the easement/district, or two acres, whichever is smaller. Parking area must be pervious. Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.	X	X	
4. Horse boarding	Horse boarding is a normal agricultural operation. <i>Applicable conditions are pending action by Board on the report on equine uses.</i>	TBD	TBD	TBD
5. Horse training	Horse training is a normal agricultural operation. <i>Applicable conditions are pending action by Board on the report on equine uses..</i>	TBD	TBD	TBD
6. Horse riding lessons	<i>Pending action by Board on report on equine uses.</i>	TBD	TBD	TBD
7. Horse shows and auctions	<i>Pending action by Board on report on equine uses.</i>	TBD	TBD	TBD

<b>Land Use</b> (Associated with normal agricultural or silvicultural activities)	<b>Conditions</b>	<b>County ag. approval</b>	<b>MALPF staff approval</b>	<b>MALPF Board approval</b>
8. Horse racing, steeplechase, cross- country riding, rodeos, eventing	<i>Pending action by Board on report on equine uses.</i>	TBD	TBD	TBD
<b>C. Conducted in pre- existing dwellings</b>	<i>All additional uses are subject to county zoning regulations, conditions listed in MALPF regulations, conditions listed here, and ownership interest.</i>			
1. Animal rescue/rehabilitation	Must not interfere with the agricultural or silvicultural operations. Must not limit future agricultural or silvicultural production. Must operate within the one acre surrounding and including a pre-existing dwelling. Parking area must be included in that one acre.	X	X	
2. Bed and breakfast	Must not interfere with the agricultural or silvicultural operations. Must not limit future agricultural or silvicultural production. Must operate within the one acre surrounding and including a pre-existing dwelling. Parking area must be included in that one acre.	X	X	
3. Cottage industries	Must not interfere with the agricultural or silvicultural operations, Must not limit future agricultural or silvicultural production. Must operate within the one acre surrounding and including a pre-existing dwelling. Parking area must be included in that one acre.	X	X	
4. Dog kennel	Must not interfere with the agricultural or silvicultural operations. Must not limit future agricultural or silvicultural production. Must operate within the one acre surrounding and including a pre-existing dwelling. Parking area must be included in that one acre.	X	X	

<b>D. Other</b>	<b><i>All additional uses are subject to county zoning regulations, conditions listed in MALPF regulations, conditions listed here, and ownership interest.</i></b>	<b>County ag. approval</b>	<b>MALPF staff approval</b>	<b>MALPF Board approval</b>
1. Activities by landowner, operator, or others for gain for charitable purposes	<p>Must not interfere with the agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Farm or forest must be maintained or restored to its original condition.</p> <p>Occurrence must be infrequent, of minimal duration, and limited in scope.</p> <p>No new or additional permanent structures are allowed.</p> <p>Parking area is limited to 2% (two percent) of the easement/district, or two acres, whichever is smaller.</p> <p>Parking area must be pervious.</p> <p>Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.</p>	X	X	
2. Festivals, military re-enactments, other productions	<p>Occurrence must be infrequent, of minimal duration, and limited in scope.</p> <p>Must not interfere with the agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Farm or forest must be maintained or restored to its original condition.</p> <p>No new or additional permanent structures are allowed.</p> <p>Parking area must be pervious.</p> <p>Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.</p>	X	X	X
3. Filming – commercial and non-commercial	<p>Must not interfere with the agricultural or silvicultural operations.</p> <p>Must not limit future agriculture or forest production.</p> <p>Occurrence must be infrequent and of minimal duration.</p> <p>Farm or forest must be maintained or restored to its original condition.</p> <p>No new or additional permanent structures are allowed.</p> <p>Parking area must be pervious.</p>	X	X	X
4. Hunting club	<p>Must not interfere with the agriculture or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Associated structure for such use can be no more than 600 (six hundred) sq. ft..</p> <p>Parking area and associated structures are limited to 2% (two percent) of the easement/district, or two acres, whichever is smaller.</p> <p>Parking area must be pervious.</p>	X	X	
5. Private air strip	<p>Personal use is restricted to owner/operator of land on which the airstrip is located.</p> <p>Can be used for farm- and forest-related services in the community.</p> <p>Must not interfere with the agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Landing strip must be pervious.</p> <p>Accessory structures and lighting are not allowed.</p>	X	X	

<b>Land use (Other – cont'd)</b>	<b>Conditions</b>	<b>County ag. approval</b>	<b>MALPF Staff approval</b>	<b>MALPF Board approval</b>
6. Sporting clays/trap/skeet	<p>Must not interfere with the agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Area, including parking area, must cover no more than 5% (five percent) of the easement/district.</p> <p>Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.</p> <p>Parking area must be pervious.</p>	X	X	
7. Wagon/sleigh rides, hunting, canoeing, boating, trail riding, hiking, etc.	<p>Must not interfere with the agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Parking area and associated structures must cover no more than 2% (two percent) of the easement/district, or two acres, whichever is smaller.</p> <p>Parking area must be pervious.</p> <p>Accessory sales area must not exceed 600 (six hundred) sq. ft. and in no case shall be greater than the area used for the sale of agricultural and forestry items.</p>	X	X	
8. Weddings, receptions, group picnics, etc.	<p>Must not interfere with the agricultural or silvicultural operations.</p> <p>Must not limit future agricultural or silvicultural production.</p> <p>Parking area must be pervious.</p> <p>No new or additional permanent structures are allowed.</p> <p>Occurrence must be infrequent.</p>	X	X	

Approved by MALPF Board 11/27/07